

10/563568

AP15 Rec'd REPTO 06 JAN 2008

S/N UnknownPATENT**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

|             |  |                 |             |
|-------------|--|-----------------|-------------|
| Applicant:  | Volker Sauermann et al.                        | Examiner:       | Unknown     |
| Serial No.: | Unknown  | Group Art Unit: | Unknown     |
| Filed:      | Herewith                                       | Docket:         | 2058.091US1 |
| Title:      | METHOD AND COMPUTER SYSTEM FOR SOFTWARE TUNING |                 |             |

---

**INFORMATION DISCLOSURE STATEMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

In compliance with the duty imposed by 37 C.F.R. § 1.56, and in accordance with 37 C.F.R. §§ 1.97 *et. seq.*, the enclosed materials are brought to the attention of the Examiner for consideration in connection with the above-identified patent application. Applicants respectfully request that this Information Disclosure Statement be entered and the documents listed on the attached Form 1449 be considered by the Examiner and made of record. Pursuant to the provisions of MPEP 609, Applicants request that a copy of the 1449 form, initialed as being considered by the Examiner, be returned to the Applicants with the next official communication.

Pursuant to 37 C.F.R. §1.97(b), it is believed that no fee or statement is required with the Information Disclosure Statement.

## INFORMATION DISCLOSURE STATEMENT

Serial No :Unknown

Filing Date: Herewith

Title: METHOD AND COMPUTER SYSTEM FOR SOFTWARE TUNING

Page 2

Dkt: 2058.091US1

The Examiner is invited to contact the Applicants' Representative at the below-listed telephone number if there are any questions regarding this communication.

Pursuant to 37 C.F.R. 1.98(a)(2), Applicant believes that copies of cited U.S. Patents and Published Applications are no longer required to be provided to the Office. Notification of this change was provided in the United States Patent and Trademark Office OG Notices dated October 12, 2004. Thus, Applicant has not included copies of any US Patents or Published Applications cited with this submission. Should the Office require copies to be provided, Applicant respectfully requests that notice of such requirement be directed to Applicant's below-signed representative. Applicant acknowledges the requirement to submit copies of foreign patent documents and non-patent literature in accordance with 37 C.F.R. 1.98(a)(2).

Respectfully submitted,

VOLKER SAUERMANN ET AL.

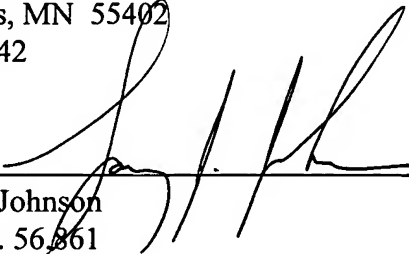
By their Representatives,

SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH, P.A.  
P.O. Box 2938  
Minneapolis, MN 55402  
408-278-4042

Date

1/6/2006

By

  
\_\_\_\_\_  
Larry J. Johnson  
Reg. No. 56,861

Substitute for form 1449A/PTO

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Complete if Known

|                      |                          |
|----------------------|--------------------------|
| Application Number   | Unknown <b>10/563568</b> |
| Filing Date          | Even Date Herewith       |
| First Named Inventor | Sauermann, Volker        |
| Group Art Unit       | Unknown                  |
| Examiner Name        | Unknown                  |

Sheet 1 of 1

Attorney Docket No: 2058.091US1

**US PATENT DOCUMENTS**

| Examiner Initial * | USP Document Number | Publication Date | Name of Patentee or Applicant of cited Document | Filing Date If Appropriate |
|--------------------|---------------------|------------------|---|----------------------------|
|                    | US-5,848,408        | 12/08/1998       | Jakobsson, Hakan , et al.                       | 02/28/1997                 |
|                    | US-6,205,441        | 03/20/2001       | Al-omari, Awny K., et al.                       | 03/31/1999                 |

**FOREIGN PATENT DOCUMENTS**

| Examiner Initials* | Foreign Document No | Publication Date | Name of Patentee or Applicant of cited Document | T <sup>2</sup> |
|--------------------|---------------------|------------------|---|----------------|
|                    | EP-1496450          | 01/12/2005       | Von Bergen, Axel , et al.                       |                |
|                    | WO-0120501          | 03/22/2001       | Tripathi, Devendra , et al.                     |                |

**OTHER DOCUMENTS -- NON PATENT LITERATURE DOCUMENTS**

| Examiner Initials* | Cite No <sup>1</sup> | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published. | T <sup>2</sup> |
|--------------------|----------------------|---|----------------|
|                    |                      | "Search Report for PCT/EP2004/051381", (9/23/04), 3 pgs   |                |
|                    |                      | LEE, Y. H., et al., "Adaptive Access Plan for Select Queries With Multiple Predicates", IBM Technical Disclosure Bulletin, 32(8B), (Jan., 1990), 6-10   |                |
|                    |                      | SHIBAMIYA, A. , et al., "DB2 Cost Formula", IBM Technical Disclosure Bulletin, 34(12), (389-394), May, 1992   |                |

**EXAMINER****DATE CONSIDERED**

Substitute Disclosure Statement Form (PTO-1449)

\* EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup> Applicant's unique citation designation number (optional) <sup>2</sup> Applicant is to place a check mark here if English language Translation is attached